

THURSDAY, MARCH 1, 2012

FIFTY-SEVENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Jeremy Butt, West 7th Street Church of Christ, Columbia, TN.

Representative Butt led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 96

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Faison; personal

Representative Matlock; personal

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 587 Rep(s). Matlock as prime sponsor(s).

House Joint Resolution No. 660 Rep(s). B. Cooper, Brown, Favors, L. Miller, Towns, J. Turner, Camper, J. DeBerry, Shaw and Armstrong as prime sponsor(s).

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House Bill No. 1185 Rep(s). Shaw and Brown as prime sponsor(s).

House Bill No. 1892 Rep(s). Haynes as first prime sponsor(s).

House Bill No. 2174 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2231 Rep(s). Parkinson as prime sponsor(s).

House Bill No. 2286 Rep(s). Sexton as prime sponsor(s).

House Bill No. 2356 Rep(s). Shaw as prime sponsor(s).

House Bill No. 2360 Rep(s). Evans as prime sponsor(s).

House Bill No. 2426 Rep(s). K. Brooks as prime sponsor(s).

House Bill No. 2461 Rep(s). Keisling as prime sponsor(s).

House Bill No. 2612 Rep(s). Hardaway, Campbell, Fitzhugh, Shaw, L. Miller, Evans, Parkinson and Elam as prime sponsor(s).

House Bill No. 2748 Rep(s). Hensley as prime sponsor(s).

House Bill No. 2853 Rep(s). Hardaway, Floyd and White as prime sponsor(s).

House Bill No. 2935 Rep(s). H. Brooks and Coley as prime sponsor(s).

House Bill No. 2957 Rep(s). McManus as prime sponsor(s).

House Bill No. 3241 Rep(s). K. Brooks, Powers, Hensley, Dunn, Naifeh, L. DeBerry, Lollar, McDaniel, Ford, Forgety, Montgomery, Ragan, J. DeBerry, Casada, Sanderson, Bass, Holt, Faison, R. Williams, Maggart, Weaver, Dean, Butt, P. Johnson and Wirgau as prime sponsor(s).

House Bill No. 3266 Rep(s). Dean, D. Miller, Evans, R. Williams, Hensley, Bass, Hardaway, Weaver, Elam, Butt, Hill, Marsh, Halford, Lollar, Hall, Wirgau, White, Womick, McDonald, C. Johnson, Sargent, Eldridge, Powers, Floyd, Haynes, Gotto, Sexton, McManus, Carr, Pody, Montgomery, K. Williams, Campbell, Harrison, Forgety, Sanderson, Cobb, Parkinson, H. Brooks, L. Miller, Keisling and McDaniel as prime sponsor(s).

House Bill No. 3332 Rep(s). Sargent as prime sponsor(s).

House Bill No. 3616 Rep(s). Casada and Butt as prime sponsor(s).

House Bill No. 3781 Rep(s). Hardaway, Dean, McCormick, Favors, Brown, Gotto, Eldridge, Holt, Halford, Parkinson, Shaw, White, Montgomery, H. Brooks, Todd, Armstrong, McManus, L. Miller, Towns, Maggart, Wirgau, Shepard, Harrison, Alexander, Lollar, Camper, Shipley, Sargent, Forgety, Cobb, Matheny, Ragan, K. Williams, Haynes, R. Williams, McDaniel, Swann, McDonald, Stewart, Richardson, J. Turner, L. DeBerry and Rich as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). C. Johnson was/were removed as sponsor(s) of **House Bill No. 1892.**

On motion, Rep(s). Elam was/were removed as sponsor(s) of **House Bill No. 3044.**

**MESSAGE FROM THE SENATE
February 28, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2397, 2405, 2545, 2653 and 2665; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
February 28, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1680, 2183, 2197, 2198, 2229, 2231, 2296, 2315, 2477, 2516, 2561, 2644, 2702, 2752, 2798, 2799, 2883 and 3194; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
February 28, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 2397, 2405, 2545, 2653 and 2665; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
February 28, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2455; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
February 28, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2561; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
February 28, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 566; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
February 28, 2012**

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 566.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENROLLED BILLS
February 28, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 2365, 2376, 2455, 2561, 2598, 2638, 2756 and 2886; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
February 28, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 566; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
February 28, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) 2166, 2167, 2222, 2274, 2304, 2337, 2353, 2367, 2382, 2396, 2403, 2652, 2755, 2766, 2872, 2976, 3024, 3071, 3213, 3250, 3260, 3353, 3382, 3390 and 3556; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 2166** -- Law Enforcement - As introduced, expands, subject to certain restrictions, the private universities or colleges that are permitted to have police forces. - Amends TCA Section 49-7-118. (HB2494 by *Roach, *Ford)

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***Senate Bill No. 2167** -- Alcoholic Beverages - As introduced, requires alcoholic beverage commission to promulgate rules and regulations restricting sale of high alcohol content beverages. - Amends TCA Title 57, Chapter 1; Title 57, Chapter 3; Title 57, Chapter 4 and Title 57, Chapter 5. by *Finney L, *Faulk, *Herron. (HB2783 by *McDaniel)

Senate Bill No. 2222 -- Hospitals and Health Care Facilities - As introduced, requires that licensure renewals for health facilities licenses be due on the anniversary date of the license instead of June 30 of each year; also authorizes issuance of renewals for terms of no less than five months and no more than 18 months or year to year. - Amends TCA Title 68, Chapter 11, Part 2. by *Norris, *Overbey. (*HB2360 by *McCormick, *Dennis, *Evans)

***Senate Bill No. 2274** -- Special License Plates - As introduced, extends the time to meet the minimum order requirements for the American Red Cross new specialty earmarked plate by an additional year. - Amends TCA Section 55-4-356. by *Tracy, *Burks, *Marrero. (HB2408 by *Marsh)

***Senate Bill No. 2304** -- Sunset Laws - As introduced, extends the board of examiners for architects and engineers, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 2, Part 2. by *Bell. (HB2520 by *Cobb, *Shipley, *Rich)

***Senate Bill No. 2337** -- Sunset Laws - As introduced, extends the soil scientist advisory committee, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 18, Part 2. by *Bell. (HB2517 by *Cobb, *Shipley, *Rich)

***Senate Bill No. 2353** -- Physicians and Surgeons - As introduced, alters the definition of a physician in the Preferred Provider Organization Transparency Act to include chiropractic physicians, medical doctor or an osteopathic physician. - Amends TCA Section 56-60-102(10). by *Stewart. (HB2479 by *Curtiss)

Senate Bill No. 2367 -- Special License Plates - As introduced, extends the time to meet the minimum order requirements for the Donate Life new specialty earmarked plate by an additional year. - Amends TCA Title 55, Chapter 4. by *Marrero, *Burks, *Stewart. (*HB2413 by *Favors)

***Senate Bill No. 2382** -- Special License Plates - As introduced, authorizes issuance of Ronald McDonald House new specialty earmarked license plate; allocates 50 percent of sale proceeds to Ronald McDonald House, for distribution to Tennessee chapters to further the mission of improving health, education and well-being of children. - Amends TCA Title 55, Chapter 4. by *Overbey, *Faulk, *Burks, *Marrero. (HB2576 by *Montgomery)

Senate Bill No. 2396 -- Boards and Commissions - As introduced, requires the commissioner of finance and administration by October 31 of each year to notify the division of regulatory boards and the division of health related boards the amount of board fees to be set for the subsequent fiscal year. - Amends TCA Section 4-29-121 and Section 4-3-1011. by *Bell. (*HB2501 by *Cobb)

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Senate Bill No. 2403 -- Game and Fish Laws - As introduced, authorizes the issuance of hunting licenses to persons who are intellectually disabled, subject to their attending a hunter education course and hunting in the presence of persons who are hunter-education-certified and licensed to hunt. - Amends TCA Title 70, Chapter 2, Part 1. by *McNally, *Marrero, *Massey, *Overbey, *Yager. (*HB2294 by *Sexton, *Wirgau, *Ragan, *Hall, *White, *Hurley, *Pody, *Williams R, *Powers, *Evans, *Maggart, *Hawk, *Gilmore, *Niceley, *Swann, *Lollar, *Marsh, *Floyd, *Butt, *Tidwell, *McDonald, *Curtiss)

Senate Bill No. 2652 -- Utilities, Utility Districts - As introduced, requires the utility management review board to develop a process to permit subscribers of a district to submit names for vacancies on the board of commissioners. - Amends TCA Section 7-82-307. by *Massey. (*HB2770 by *Brooks H)

Senate Bill No. 2755 -- Special License Plates - As introduced, authorizes issuance of brain injury awareness new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to Brain Injury Association of Tennessee. - Amends TCA Title 55, Chapter 4. by *Southerland, *Burks, *Marrero. (*HB2691 by *Lundberg)

***Senate Bill No. 2766** -- TennCare - As introduced, enacts the "Annual Coverage Assessment Act of 2012." - Amends TCA Title 71, Chapter 5. by *Overbey, *Yager, *Massey, *Ramsey, *Faulk, *Crowe, *Ketron, *Harper, *Marrero. (HB3446 by *Harrison, *Casada, *Armstrong, *Maggart, *Odom)

Senate Bill No. 2872 -- Motor Vehicles - As introduced, prohibits the disclosure of traffic citations from red-light cameras to consumer reporting agencies; prohibits such information from being identified in credit reports. - Amends TCA Section 55-8-198. by *Southerland, *Faulk. (*HB3031 by *Hawk)

Senate Bill No. 2976 -- State Symbols - As introduced, adds Echinacea Tennesseeensis as a state wild flower, along with the passion flower. - Amends TCA Section 4-1-306. by *Burks, *Ford. (*HB3148 by *Williams R)

***Senate Bill No. 3024** -- Education, Higher - As introduced, declares that teacher effect data made available to teacher preparation programs shall not be public records and shall be used only in evaluating the preparation programs. - Amends TCA Section 49-1-606. by *Gresham. (HB3469 by *Brooks H)

***Senate Bill No. 3071** -- Special License Plates - As introduced, authorizes issuance of Autism Awareness new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to three autism support organizations. - Amends TCA Title 55, Chapter 4. by *Johnson, *Ketron, *Massey, *Burks, *Marrero, *Stewart. (HB3591 by *McManus, *Haynes)

Senate Bill No. 3213 -- CoverTN - As introduced, abolishes Cover TN advisory committee. - Amends TCA Title 56, Chapter 7, Part 30. by *Bell. (*HB3079 by *Cobb, *Shipley)

Senate Bill No. 3250 -- Highway Signs - As introduced, directs the department of transportation to erect signs designating the route to T.O. Fuller State Park from Graceland Mansion. by *Ford, *Kelsey, *Kyle, *Marrero, *Norris, *Tate. (*HB2220 by *Cooper B)

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Senate Bill No. 3260 -- Highway Signs - As introduced, designates portion of U.S. Highway 61 in Memphis as the "Blues Trail." by *Ford, *Kelsey, *Kyle, *Marrero, *Norris, *Tate. (*HB3006 by *Cooper B, *Towns, *Lollar, *Todd, *Pruitt, *Moore, *Pitts, *Stewart, *Favors, *DeBerry J, *Curtiss, *Windle, *Naifeh, *DeBerry L, *Fitzhugh, *Brown)

Senate Bill No. 3353 -- Special License Plates - As introduced, authorizes issuance of Almost Home Animal Rescue new specialty earmarked license plates; allocates 50 percent of funds derived from sale thereof to such organization to rescue and relocate animals scheduled for euthanasia. - Amends TCA Title 55, Chapter 4. by *Ketron, *Marrero, *Stewart. (*HB3050 by *Womick)

Senate Bill No. 3382 -- Boards and Commissions - As introduced, makes permissive instead of mandatory the provisions for the Home Builders Association of Tennessee, Inc., submitting list of recommended persons to the governor and the governor consulting with the association about its recommendations prior to the governor making appointment to the state board for licensing contractors; authorizes other interested home builder groups to submit lists of qualified persons. - Amends TCA Title 4, Chapter 29 and Section 62-6-104. by *Bell. (*HB3552 by *Cobb, *Rich)

Senate Bill No. 3390 -- Funeral Directors and Embalmers - As introduced, authorizes instead of requires that governor select some members of board of funeral directors and embalmers from lists of nominees submitted by Tennessee Funeral Directors Association and Tennessee Funeral Directors and Morticians Association, and other interested funeral director and mortician groups. - Amends TCA Title 4, Chapter 29 and Section 62-5-201. by *Bell, *Ford. (*HB3554 by *Cobb, *Rich)

Senate Bill No. 3556 -- Highway Signs - As introduced, names bridge on U.S. 64 in Giles County in honor of the late James E. Wells. by *Summerville. (*HB3562 by *Bass)

**SIGNED
February 28, 2012**

The Speaker announced that she had signed the following: House Bill(s) No(s). 2365, 2376, 2638, 2455, 2561, 2598, 2756 and 2886.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
February 28, 2012**

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 1680, 2183, 2197, 2198, 2229, 2231, 2296, 2315, 2477, 2516, 2561, 2644, 2702, 2752, 2798, 2799, 2883 and 3194.

**MESSAGE FROM THE SENATE
February 28, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2365, 2376, 2638, 2455, 2561, 2598, 2756 and 2886; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
February 28, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 566; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
February 29, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 585, 587, 588, 589, 592, 593, 594, 595, 596, 597, 598, 600 and 625; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
February 29, 2012**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 585, 587, 588, 589, 592, 593, 594, 595, 596, 597, 598, 600 and 625.

**MESSAGE FROM THE SENATE
February 29, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2650, 2362, 2357, 2260, 2258, 2257 and 2213; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
February 29, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 2365, 2376, 2455, 2561, 2598, 2638, 2756 and 2886; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

SIGNED
February 29, 2012

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 2213, 2257, 2258, 2260, 2357, 2362 and 2650.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative McDaniel was recognized in the Well to present the series *Images of the Civil War Sesquicentennial* which featured narration by Representatives H. Brooks and Fitzhugh.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative K. Brooks; business

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Joint Resolution No. 712 -- Naming and Designating - "Tennessee Learn to Ski and Snowboard Month," January 2013. by *Montgomery.

House Conservation and Environment Committee

***House Joint Resolution No. 713** -- Highway Signs - "Polk County Veterans Memorial Bridge," U.S. 411 and U.S. 64 in Polk County. by *Watson.

House Transportation Committee

***House Joint Resolution No. 724** -- General Assembly, Statement of Intent or Position - Endorses "Read Across America" program. by *Montgomery, *Hensley, *Brooks H, *Brooks K, *Lollar, *Ragan, *Windle, *Williams R, *Carr, *Dunn, *Fitzhugh, *Pitts, *DeBerry J, *DeBerry L, *Naifeh, *Forgety, *Powers.

House Education Committee

***House Joint Resolution No. 728** -- General Assembly, Directed Studies - Directs the commissioner of education and the state comptroller to conduct a comprehensive study of the basic education program funding formula. by *Hurley.

House Education Committee

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***House Joint Resolution No. 729** -- Memorials, Congress - Requests conveyance of the Dale Hollow and Erwin national fish hatcheries to the State of Tennessee. by *Weaver.

House Conservation and Environment Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 5, 2012:

House Resolution No. 200 -- Memorials, Academic Achievement - Ashley Warren, Salutatorian, Cornersville School. by *Bass.

House Resolution No. 201 -- Memorials, Academic Achievement - Laiken Spivey, Valedictorian, Cornersville School. by *Bass.

House Resolution No. 202 -- Memorials, Recognition - Mapes Piano String Company, 100th anniversary. by *Williams K.

House Resolution No. 203 -- Memorials, Sports - 2012 TSSAA Hall of Fame inductees. by *Harmon.

House Resolution No. 204 -- Memorials, Academic Achievement - Justin Killian, Salutatorian, Marshall County High School. by *Bass.

House Resolution No. 205 -- Memorials, Academic Achievement - Christa Brooke Morton, Valedictorian, Marshall County High School. by *Bass.

House Resolution No. 206 -- Memorials, Sports - Tennessee Technology University football team. by *Williams R, *Sexton, *Curtiss, *Windle, *Keisling, *Weaver.

House Resolution No. 209 -- Memorials, Personal Achievement - Caleb Massey, Eagle Scout. by *Elam.

House Joint Resolution No. 716 -- Memorials, Sports - Randy Lambert. by *Swann, *Ramsey.

House Joint Resolution No. 717 -- Memorials, Recognition - Amber Futrell. by *Holt.

House Joint Resolution No. 718 -- Memorials, Recognition - Chris Martin. by *Holt.

House Joint Resolution No. 719 -- Memorials, Recognition - Ben and Jennifer Moore, 2012 National Young Farmer Achievement Winners. by *Holt.

House Joint Resolution No. 720 -- Memorials, Retirement - Hugh Adams. by *Holt.

House Joint Resolution No. 721 -- Memorials, Public Service - Jim Bruce, White House Chamber of Commerce Community Service Award. by *Evans, *McDonald, *Maggart.

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House Joint Resolution No. 722 -- Memorials, Public Service - Robert Whitaker, White House Chamber of Commerce Citizen of the Year. by *Evans, *McDonald, *Maggart.

House Joint Resolution No. 723 -- Memorials, Recognition - The Martha M. Brown and Lois H. Daniel Memorial Library at Tennessee State University. by *Gilmore.

House Joint Resolution No. 725 -- Memorials, Congratulations - Upsilon Xi fraternity, 50th anniversary. by *Brooks K.

House Joint Resolution No. 726 -- Memorials, Recognition - Dr. Fannie D. Hewlett. by *Favors, *Brown, *DeBerry L, *McCormick, *Dean, *Floyd, *Cobb.

House Joint Resolution No. 727 -- Memorials, Recognition - 290th Military Police Brigade and 304th Military Police Battalion. by *Gotto.

House Joint Resolution No. 730 -- Memorials, Recognition - National Wild Turkey Federation's Plateau Longbeards chapter, National award winners. by *Sexton.

House Joint Resolution No. 731 -- Memorials, Professional Achievement - Edward and Nancy Polk, Tennessee's 2011 Outstanding Tree Farmer of the Year. by *Moore, *Shepard.

House Joint Resolution No. 732 -- Memorials, Recognition - Reverend Phil Martin. by *Evans.

House Joint Resolution No. 733 -- Memorials, Personal Achievement - Christian Andrew Ratliff, Eagle Scout. by *Cobb.

House Joint Resolution No. 735 -- Memorials, Public Service - Gary Norwood, Retiring Mayor, Ashland City. by *Johnson P.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3858 -- Harriman - As introduced, subject to local approval, moves the city election to coincide with the August general election beginning in 2014; extends the two-year term of office of officials elected in the June 2011 election to the first day of September 2014 following the August election. - Amends Chapter 49 of the Acts of 1891; as amended. by *Hurley.

House Bill No. 3859 -- Morristown - As introduced, subject to local approval, expands authority and supervision of the Board of Electric Light and Waterworks, with prior approval of city council, to include sewer in addition to telecommunications, natural gas, ISP and CATV services. - Amends Chapter 392 of the Acts of 1901; as amended. by *Miller D.

House Bill No. 3860 -- Morristown - As introduced, subject to local approval, revises the selection procedure for vacancies and expired terms of commissioners of the Board of Electric Light and Waterworks. - Amends Chapter 392 of the Acts of 1901; as amended. by *Miller D.

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House Bill No. 3861 -- Rutherford County - As introduced, subject to local approval, removes requirement that persons be issued wheel tax decals for display on license plates as evidence of having paid such tax. - Amends Chapter 329 of the Private Acts of 1970; as amended. by *Carr.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 2166** -- Law Enforcement - As introduced, expands, subject to certain restrictions, the private universities or colleges that are permitted to have police forces. - Amends TCA Section 49-7-118. (HB2494 by *Roach, *Ford)

***Senate Bill No. 2167** -- Alcoholic Beverages - As introduced, requires alcoholic beverage commission to promulgate rules and regulations restricting sale of high alcohol content beverages. - Amends TCA Title 57, Chapter 1; Title 57, Chapter 3; Title 57, Chapter 4 and Title 57, Chapter 5. by *Finney L, *Faulk, *Herron. (HB2783 by *McDaniel)

Senate Bill No. 2222 -- Hospitals and Health Care Facilities - As introduced, requires that licensure renewals for health facilities licenses be due on the anniversary date of the license instead of June 30 of each year; also authorizes issuance of renewals for terms of no less than five months and no more than 18 months or year to year. - Amends TCA Title 68, Chapter 11, Part 2. by *Norris, *Overbey. (*HB2360 by *McCormick, *Dennis, *Evans)

***Senate Bill No. 2274** -- Special License Plates - As introduced, extends the time to meet the minimum order requirements for the American Red Cross new specialty earmarked plate by an additional year. - Amends TCA Section 55-4-356. by *Tracy, *Burks, *Marrero. (HB2408 by *Marsh)

***Senate Bill No. 2304** -- Sunset Laws - As introduced, extends the board of examiners for architects and engineers, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 2, Part 2. by *Bell. (HB2520 by *Cobb, *Shipley, *Rich)

***Senate Bill No. 2337** -- Sunset Laws - As introduced, extends the soil scientist advisory committee, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 18, Part 2. by *Bell. (HB2517 by *Cobb, *Shipley, *Rich)

***Senate Bill No. 2353** -- Physicians and Surgeons - As introduced, alters the definition of a physician in the Preferred Provider Organization Transparency Act to include chiropractic physicians, medical doctor or an osteopathic physician. - Amends TCA Section 56-60-102(10). by *Stewart. (HB2479 by *Curtiss)

Senate Bill No. 2367 -- Special License Plates - As introduced, extends the time to meet the minimum order requirements for the Donate Life new specialty earmarked plate by an additional year. - Amends TCA Title 55, Chapter 4. by *Marrero, *Burks, *Stewart. (*HB2413 by *Favors)

THURSDAY, MARCH 1, 2012 – FIFTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Bill No. 2382** -- Special License Plates - As introduced, authorizes issuance of Ronald McDonald House new specialty earmarked license plate; allocates 50 percent of sale proceeds to Ronald McDonald House, for distribution to Tennessee chapters to further the mission of improving health, education and well-being of children. - Amends TCA Title 55, Chapter 4. by *Overbey, *Faulk, *Burks, *Marrero . (HB2576 by *Montgomery)

Senate Bill No. 2396 -- Boards and Commissions - As introduced, requires the commissioner of finance and administration by October 31 of each year to notify the division of regulatory boards and the division of health related boards the amount of board fees to be set for the subsequent fiscal year. - Amends TCA Section 4-29-121 and Section 4-3-1011. by *Bell. (*HB2501 by *Cobb)

Senate Bill No. 2403 -- Game and Fish Laws - As introduced, authorizes the issuance of hunting licenses to persons who are intellectually disabled, subject to their attending a hunter education course and hunting in the presence of persons who are hunter-education-certified and licensed to hunt. - Amends TCA Title 70, Chapter 2, Part 1. by *McNally, *Marrero, *Massey, *Overbey, *Yager. (*HB2294 by *Sexton, *Wirgau, *Ragan, *Hall, *White, *Hurley, *Pody, *Williams R, *Powers, *Evans, *Maggart, *Hawk, *Gilmore, *Niceley, *Swann, *Lollar, *Marsh, *Floyd, *Butt, *Tidwell, *McDonald, *Curtiss)

Senate Bill No. 2652 -- Utilities, Utility Districts - As introduced, requires the utility management review board to develop a process to permit subscribers of a district to submit names for vacancies on the board of commissioners. - Amends TCA Section 7-82-307. by *Massey. (*HB2770 by *Brooks H)

Senate Bill No. 2755 -- Special License Plates - As introduced, authorizes issuance of brain injury awareness new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to Brain Injury Association of Tennessee. - Amends TCA Title 55, Chapter 4. by *Southerland, *Burks, *Marrero. (*HB2691 by *Lundberg)

***Senate Bill No. 2766** -- TennCare - As introduced, enacts the "Annual Coverage Assessment Act of 2012." - Amends TCA Title 71, Chapter 5. by *Overbey, *Yager, *Massey, *Ramsey, *Faulk, *Crowe, *Ketron, *Harper, *Marrero. (HB3446 by *Harrison, *Casada, *Armstrong, *Maggart, *Odom)

Senate Bill No. 2872 -- Motor Vehicles - As introduced, prohibits the disclosure of traffic citations from red-light cameras to consumer reporting agencies; prohibits such information from being identified in credit reports. - Amends TCA Section 55-8-198. by *Southerland, *Faulk. (*HB3031 by *Hawk)

Senate Bill No. 2976 -- State Symbols - As introduced, adds Echinacea Tennesseeensis as a state wild flower, along with the passion flower. - Amends TCA Section 4-1-306. by *Burks, *Ford. (*HB3148 by *Williams R)

***Senate Bill No. 3024** -- Education, Higher - As introduced, declares that teacher effect data made available to teacher preparation programs shall not be public records and shall be used only in evaluating the preparation programs. - Amends TCA Section 49-1-606. by *Gresham. (HB3469 by *Brooks H)

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***Senate Bill No. 3071** -- Special License Plates - As introduced, authorizes issuance of Autism Awareness new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to three autism support organizations. - Amends TCA Title 55, Chapter 4. by *Johnson, *Ketron, *Massey, *Burks, *Marrero, *Stewart. (HB3591 by *McManus, *Haynes)

Senate Bill No. 3213 -- CoverTN - As introduced, abolishes Cover TN advisory committee. - Amends TCA Title 56, Chapter 7, Part 30. by *Bell. (*HB3079 by *Cobb, *Shipley)

Senate Bill No. 3250 -- Highway Signs - As introduced, directs the department of transportation to erect signs designating the route to T.O. Fuller State Park from Graceland Mansion. by *Ford, *Kelsey, *Kyle, *Marrero, *Norris, *Tate. (*HB2220 by *Cooper B)

Senate Bill No. 3260 -- Highway Signs - As introduced, designates portion of U.S. Highway 61 in Memphis as the "Blues Trail.". by *Ford, *Kelsey, *Kyle, *Marrero, *Norris, *Tate. (*HB3006 by *Cooper B, *Towns, *Lollar, *Todd, *Pruitt, *Moore, *Pitts, *Stewart, *Favors, *DeBerry J, *Curtiss, *Windle, *Naifeh, *DeBerry L, *Fitzhugh, *Brown)

Senate Bill No. 3353 -- Special License Plates - As introduced, authorizes issuance of Almost Home Animal Rescue new specialty earmarked license plates; allocates 50 percent of funds derived from sale thereof to such organization to rescue and relocate animals scheduled for euthanasia. - Amends TCA Title 55, Chapter 4. by *Ketron, *Marrero, *Stewart. (*HB3050 by *Womick)

Senate Bill No. 3382 -- Boards and Commissions - As introduced, makes permissive instead of mandatory the provisions for the Home Builders Association of Tennessee, Inc., submitting list of recommended persons to the governor and the governor consulting with the association about its recommendations prior to the governor making appointment to the state board for licensing contractors; authorizes other interested home builder groups to submit lists of qualified persons. - Amends TCA Title 4, Chapter 29 and Section 62-6-104. by *Bell. (*HB3552 by *Cobb, *Rich)

Senate Bill No. 3390 -- Funeral Directors and Embalmers - As introduced, authorizes instead of requires that governor select some members of board of funeral directors and embalmers from lists of nominees submitted by Tennessee Funeral Directors Association and Tennessee Funeral Directors and Morticians Association, and other interested funeral director and mortician groups. - Amends TCA Title 4, Chapter 29 and Section 62-5-201. by *Bell, *Ford. (*HB3554 by *Cobb, *Rich)

Senate Bill No. 3556 -- Highway Signs - As introduced, names bridge on U.S. 64 in Giles County in honor of the late James E. Wells. by *Summerville. (*HB3562 by *Bass)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3857 -- Dickson County – House State and Local Government Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **February 28, 2012**, reported the following:

AGRICULTURE COMMITTEE

The Agriculture Committee recommended for passage: House Bill(s) No(s). 3302 and 3632 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

COMMERCE COMMITTEE

The Commerce Committee recommended for passage: House Bill(s) No(s). 3079, 3278, 2728, 2764 and House Resolution(s) No(s). 170, also House Bill(s) No(s). 3448, 3091 and 2295 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2352, 3031 and 2938. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following bill(s) to the Government Operations Committee for review: House Bill(s) No(s). 2353 and 2340 with amendments.

CONSUMER AND EMPLOYEE AFFAIRS COMMITTEE

The Consumer and Employee Affairs Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 984 and House Joint Resolution(s) No(s). 635. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

EDUCATION COMMITTEE

The Education Committee recommended for passage: House Bill(s) No(s). 2827, 2851 and House Joint Resolution(s) No(s). 662, also House Bill(s) No(s). 2883 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2873, also House Bill(s) No(s). 2237, 2461 and 3062 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

FINANCE, WAYS AND MEANS COMMITTEE

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 2292, 3562, 3131, 3134, 3026, 3305, 2337, 3050, 2403, 2576, 2360, 2616, 2746, 2422, 2467 and House Joint Resolution(s) No(s). 577, also House Bill(s) No(s). 2800, 2386, 59, 2406 and 2650 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

JUDICIARY COMMITTEE

The Judiciary Committee recommended for passage: House Bill(s) No(s). 2441, 2442, 3443, 2830 and 3068, also House Bill(s) No(s). 2695 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2812, also House Bill(s) No(s). 2278 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

STATE AND LOCAL GOVERNMENT COMMITTEE

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 3094, 2495, 3844, 3845, 3843, 2860, 2754, 3834 and House Joint Resolution(s) No(s). 649 also House Bill(s) No(s). 2848, 3053, 2770 and 3012 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2844 and 2679, also House Bill(s) No(s). 3381, 2766 and 2903 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

TRANSPORTATION COMMITTEE

The Transportation Committee recommended for passage: House Bill(s) No(s). 2591. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3019 and House Joint Resolution(s) No(s). 623, also House Bill(s) No(s). 3591, 3214 and 3006 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following bill(s) to the Government Operations Committee for review: House Bill(s) No(s). 3007 with amendments.

REPORTS FROM STANDING COMMITTEES

The committees that met on **February 29, 2012**, reported the following:

CONSERVATION AND ENVIRONMENT COMMITTEE

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 3048. Under the rules, each was transmitted to the Calendar and Rules Committee.

The Committee also transmitted the following bill(s) to the Government Operations Committee for review: House Bill(s) No(s). 3690 with amendments.

GOVERNMENT OPERATIONS COMMITTEE

The Government Operations Committee recommended for passage: House Bill(s) No(s). 2354, also House Bill(s) No(s). 2484 with a negative recommendation. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3081 with a negative recommendation. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following bill(s) to the Conservation and Environment Committee for review: House Bill(s) No(s). 258.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 1, 2012**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 5, 2012**: House Bill(s) No(s). 2591, 2495, 2295, 2403, 2406, 2728, 2764, 3448, 3443, 3011, 2380, House Joint Resolution(s) No(s). 614, House Bill(s) No(s). 2587, 1442, 3156, 3057, 3053, 2616, 2650, 2770, 2860 and 2422.

The Committee also set the following bill(s) on the **Regular Calendar** for **March 8, 2012**: House Bill(s) No(s). 2800, 2851, 2848, 3091, 2830, 2516, 3278, 3632, 3553, 3555, 2506, 3546, 3547, 3079, 59 and 3094.

It further reports that it set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **March 5, 2012**: House Bill(s) No(s). 2465, 3050, House Joint Resolution(s) No(s). 662, House Bill(s) No(s). 3305, 3834, 2746, 2427, 3131, 3026, 3134, 2576, 2827, 2511, 3843, 3844, 3845, 3009, 3010 and 3008.

CONSENT CALENDAR

House Resolution No. 199 -- Memorials, Personal Achievement - Joseph Austin Midgett, Eagle Scout. by *Elam.

House Joint Resolution No. 714 -- Memorials, Recognition - Reverend Phil Martin. by *Evans.

House Joint Resolution No. 715 -- Memorials, Recognition - Charles Beasley. by *Hawk, *Pody.

Senate Joint Resolution No. 602 -- Memorials, Sports - Blackman High School cheerleading squad, National Champions. by *Ketron, *Stewart, *Tracy.

Senate Joint Resolution No. 603 -- Memorials, Professional Achievement - Steven C. Smith, Sidney R. Rabb Award. by *Ramsey, *Tracy.

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Senate Joint Resolution No. 604 -- Memorials, Professional Achievement - Patty Starnes, Teacher of the Year, Alpha Elementary School. by *Southerland, *Gresham.

Senate Joint Resolution No. 605 -- Memorials, Professional Achievement - Lori Horner, Teacher of the Year, Hillcrest Elementary School. by *Southerland, *Gresham.

Senate Joint Resolution No. 606 -- Memorials, Professional Achievement - Kathie Franzke, Teacher of the Year, West View Middle School. by *Southerland, *Gresham.

Senate Joint Resolution No. 607 -- Memorials, Professional Achievement - Sharon Lindsey, Teacher of the Year, Miller Boyd Alternative School. by *Southerland, *Gresham.

Senate Joint Resolution No. 608 -- Memorials, Professional Achievement - Karen Rogers, Teacher of the Year, East High School. by *Southerland, *Gresham.

Senate Joint Resolution No. 609 -- Memorials, Professional Achievement - Michelle Newman, Teacher of the Year, Witt Elementary School. by *Southerland, *Gresham.

Senate Joint Resolution No. 610 -- Memorials, Professional Achievement - Cari S. Ashford, Teacher of the Year, Morristown-Hamblen High School West. by *Southerland, *Gresham.

Senate Joint Resolution No. 611 -- Memorials, Professional Achievement - Jenny Ryan, Teacher of the Year, Union Heights Elementary. by *Southerland, *Gresham.

Senate Joint Resolution No. 612 -- Memorials, Professional Achievement - Jenni Seal, Teacher of the Year, Lincoln Heights Middle School. by *Southerland, *Gresham.

Senate Joint Resolution No. 613 -- Memorials, Professional Achievement - Kathy Caldwell, Teacher of the Year, West Elementary School. by *Southerland, *Gresham.

Senate Joint Resolution No. 614 -- Memorials, Professional Achievement - Eva Victoria Price, Teacher of the Year, Meadowview Middle School. by *Southerland, *Gresham.

OBJECTION—CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Joint Resolution No. 714: by Rep. Evans

Under the rules, House Joint Resolution(s) No(s). 714 were placed at the heel of the calendar for March 5, 2012.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

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Ayes 93
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hardaway, Harmon, Harrison, Hawk, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 2358** -- Public Contracts - As introduced, increases from \$75,000 to \$150,000 the dollar amount of leases that require approval by the attorney general and state building commission. - Amends TCA Section 12-2-115. by *McCormick, *Harrison. (SB2220 by *Norris, *Ketron)

Further consideration of House Bill No. 2358 previously considered on February 16, 2012, at which time it was reset for today's Calendar.

On motion, House Bill No. 2358 was made to conform with **Senate Bill No. 2220**; the Senate Bill was substituted for the House Bill.

Rep. Harrison moved that Senate Bill No. 2220 be passed on third and final consideration.

Rep. Ramsey moved that State and Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Harrison moved that **Senate Bill No. 2220** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 5

Representatives voting aye were: Armstrong, Bass, Brooks H, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Naifeh, Niceley, Odom, Parkinson, Pitts, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J,

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Turner M, Watson, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 89

Representatives voting no were: Alexander, Moore, Pody, Weaver, Windle -- 5

A motion to reconsider was tabled.

House Bill No. 2174 -- Election Laws - As introduced, allows persons age 60 and older to vote absentee upon request, instead of age 65 and older. - Amends TCA Section 2-6-201(5). by *Maggart, *Hurley. (*SB2128 by *Ketron, *Tracy, *Faulk, *Yager)

Rep. Maggart moved that **House Bill No. 2174** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 2853** -- Sexual Offenders - As introduced, adds the offense of promoting prostitution to the list of sexual offenses requiring registration under the sex offender registry and adds second offense promoting prostitution to the list of violent sexual offenses. - Amends TCA Title 40, Chapter 39, Part 2. by *Maggart, *Hurley. (SB2997 by *Marrero)

Rep. Maggart moved that House Bill No. 2853 be passed on third and final consideration.

Rep. L. Miller moved the previous question, which motion prevailed.

Rep. Maggart moved that **House Bill No. 2853** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes.....	0
Present and not voting.....	3

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis,

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Dunn, Elam, Eldridge, Evans, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

Representatives present and not voting were: Kernell, Towns, Turner J -- 3

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Roach; personal

REGULAR CALENDAR, CONTINUED

***House Bill No. 2858** -- DUI Offenses - As introduced, permits a person who has been properly trained to draw blood to do so for purposes of DUI investigation; removes the requirement that a phlebotomist taking blood for DUI investigation be certified or nationally registered; and protects both from civil or criminal liability unless it arises from that person's negligence. - Amends TCA Title 55, Chapter 10. by *Maggart. (SB2787 by *Kelsey)

Rep. Maggart moved that House Bill No. 2858 be reset for the Regular Calendar on March 8, 2012, which motion prevailed.

***House Bill No. 3266** -- Education - As introduced, prohibits LEAs, school administrators and educators from taking action that infringes on or waives first amendment rights of school personnel or students without written consent of those who would be affected. - Amends TCA Title 49. by *Johnson P, *Watson, *Maggart. (SB3060 by *Summerville)

Rep. P. Johnson moved that House Bill No. 3266 be passed on third and final consideration.

Rep. Montgomery moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3266 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 29, is amended by adding the following as a new section:

4224

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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49-6-2907. LEAs and school administrators may not prohibit personnel from participating in religious activities on school grounds that are initiated by students at reasonable times before or after the instructional day so long as such activities are voluntary for all parties and do not conflict with the responsibilities or assignments of such personnel.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. P. Johnson moved that **House Bill No. 3266**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

House Bill No. 3323 -- Lottery, Charitable - As introduced, authorizes formation of a broad-based school foundation, subject to certain conditions, by a school or its administrators or supporters; authorizes school foundations, although not in existence for at least five years, to be 501(c)(3) organizations for purposes of the Tennessee Charitable Gaming Implementation Law; removes requirement that 501(c)(3) organizations wanting to conduct an annual event to raise no more than \$5,000 be in existence for five years. - Amends TCA Title 3, Chapter 17; Title 49, Chapter 2 and Title 49, Chapter 3. by *Johnson P. (*SB3074 by *Johnson)

Rep. P. Johnson moved that **House Bill No. 3323** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes.....	1
Present and not voting.....	2

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel,

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McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

Representatives voting no were: Floyd -- 1

Representatives present and not voting were: Holt, Miller D -- 2

A motion to reconsider was tabled.

***House Bill No. 2381** -- Transportation, Dept. of - As introduced, authorizes department to enter into a negotiated contract with a financial institution for the purpose of stabilizing the net expense of the department for the purchase of gasoline, diesel or other fuels, or the net expense of price adjustments made for fuel, bituminous materials or other materials in the department's construction contracts. - Amends TCA Title 4, Chapter 3, Part 23. by *McCormick, *Johnson P. (SB2243 by *Norris, *Faulk)

Rep. P. Johnson moved that House Bill No. 2381 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2381 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 23, is amended by adding the following language as a new section:

4-3-2312.

(a) Notwithstanding any provision of law to the contrary, the commissioner of transportation may, with the approval of the state funding board established by § 9-9-101, enter into a negotiated contract or contracts with a bank, investment bank or similar financial institution for the following purposes:

(1) To stabilize the net expense of the department of transportation in the purchase of gasoline, diesel, or other fuels for the department's own use; or

(2) To stabilize the net expense of the department in paying for items of work in its highway construction contracts that allow for price adjustments based on changes in the cost of fuel, bituminous materials, or other materials.

(b) The contracts entered into under this section may include, without limitation, financial instruments commonly referred to as hedges, futures, options, swap transactions, or any similar financial instrument for cost stabilization.

(c) Notwithstanding any provision of law to the contrary, the contracts authorized in this section may be procured in such manner and executed in such form as approved by the state funding board. The contracts authorized herein are not contracts for services subject to the provisions of § 12-4-109.

(d) When entering into any contract authorized under this section, the written contract shall provide that the rights and remedies of the parties thereto shall be governed by the laws of the state of Tennessee or the laws of such other state or nation as may bear a reasonable relationship to the transaction; provided, however, that any suit, action, or proceeding at law or in equity against the state shall be brought solely in any court of competent jurisdiction in Davidson County, Tennessee.

(e) The authority granted under this section is in addition to, and supplemental to, any existing authority granted under any other law.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Sargent moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2381 By deleting the word "bought" from § 4-3-2312(d) in Section 1 and by substituting instead the word "brought".

On motion, Amendment No. 2 was adopted.

Rep. P. Johnson moved that **House Bill No. 2381**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick,

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Niceley, Odom, Parkinson, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

***House Bill No. 2231** -- Public Funds and Financing - As introduced, enacts the "Uniformity in Tax Increment Financing Act of 2012." - Amends TCA Title 7; Title 9 and Title 13. by *McManus, *Hardaway. (SB2175 by *Johnson)

On motion, House Bill No. 2231 was made to conform with **Senate Bill No. 2175**; the Senate Bill was substituted for the House Bill.

Rep. McManus moved that Senate Bill No. 2175 be passed on third and final consideration.

Rep. Ramsey moved that State and Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 2175 by adding the language "; and" at the end of the amendatory language of § 9-23-102(a)(1) in Section 2.

On motion, Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. McManus moved that **Senate Bill No. 2175**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

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***House Bill No. 2794** -- Highway Signs - As introduced, designates exits on I-40 in Cumberland County for Sargeant Milo Lemert, a Medal of Honor recipient. by *Sexton. (SB2684 by *Burks)

Rep. Sexton moved that House Bill No. 2794 be passed on third and final consideration.

Rep. P. Johnson moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2794 by deleting Section 4 of the bill as introduced.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Sexton moved that **House Bill No. 2794**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the **House Bill No. 2381** and have this statement entered in the Journal: Rep(s). Weaver.

REGULAR CALENDAR, CONTINUED

House Bill No. 3781 -- Insurance Companies, Agents, Brokers, Policies - As introduced, allows a charitable organization to calculate reserves using the Annuity 2000 Mortality Table and other interest assumption, or other mortality table; allows organization to maintain a separate Tennessee account; allows the commissioner to designate a later time for the organization to submit an audited report. - Amends TCA Title 56, Chapter 52. by *Naifeh. (*SB3589 by *Tate)

Rep. Naifeh moved that House Bill No. 3781 be passed on third and final consideration.

Rep. McCormick moved the previous question, which motion prevailed.

Rep. Naifeh moved that **House Bill No. 3781** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 2612** -- Business and Commerce - As introduced, enacts the "Small Business Incentive Act." - Amends TCA Title 4; Title 8; Title 12; Title 48; Title 50 and Title 67. by *Brooks H. (SB2496 by *Tracy, *Ketrone)

Rep. H. Brooks moved that House Bill No. 2612 be passed on third and final consideration.

Rep. McManus moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2612 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION __. This act shall be known and referred to as the "Small Business Incentive Act".

On motion, Commerce Committee Amendment No. 1 was adopted.

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Rep. H. Brooks moved that **House Bill No. 2612**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 1185 -- Students - As introduced, requires the department of safety to report annually to the senate and house education committees the number of students whose driver licenses were denied or suspended for failure to make satisfactory academic progress; requires the department of safety also to report the number of such students whose licenses were granted or reinstated. - Amends TCA Title 49, Chapter 6, Part 30 and Title 55, Chapter 50. by *Fitzhugh. (*SB882 by *Finney L)

On motion, House Bill No. 1185 was made to conform with **Senate Bill No. 882**; the Senate Bill was substituted for the House Bill.

Rep. Fitzhugh moved that Senate Bill No. 882 be passed on third and final consideration.

Rep. Montgomery moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Fitzhugh moved that **Senate Bill No. 882** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd,

THURSDAY, MARCH 1, 2012 – FIFTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Towns, Turner J, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Sargent voted “aye” on **Senate Bill No. 882**.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2345** -- Public Records - As introduced, classifies as confidential the due diligence materials submitted by a company to the department of economic and community development; confidentiality applies until such time as the provider of the material no longer requires its confidentiality. - Amends TCA Section 4-3-730. by *McCormick, *Brooks K. (SB2207 by *Norris, *Watson)

Further consideration of House Bill No. 2345 previously considered on February 23, 2012, at which time it was reset for today's Calendar.

BILL HELD ON DESK

Rep. McCormick moved that House Bill No. 2345 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2356** -- Public Contracts - As introduced, revises requirements for amounts of goods or services that may be procured without requisitioning through the department of general services or for contracts that may be entered into without approval of certain government officials; permits competitive negotiations on certain contracts upon approval by the chief procurement officer. - Amends TCA Title 12, Chapter 3 and Title 12, Chapter 4. by *McCormick, *Johnson C, *Hardaway, *Parkinson, *Curtiss. (SB2218 by *Norris, *Ketrone)

Further consideration of House Bill No. 2356 previously considered on February 9, 2012, February 23, 2012 and February 27, 2012, at which time the House adopted Amendment(s) No(s). 1, withdrew Amendment(s) No(s). 2 and it was reset for today's Calendar.

Rep. C. Johnson moved that House Bill No. 2356, as amended, be passed on third and final consideration.

Rep. Fitzhugh moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Fitzhugh moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 2356 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Section 12-3-210, is amended, effective April 1, 2012, by adding the following language as a new subsection (c):

(c) Notwithstanding subsection (a), for any procurement of no more than fifty thousand dollars (\$50,000), made by state departments, institutions and agencies under this section, such departments, institutions and agencies shall actively solicit bids and proposals from minority-owned, woman-owned, Tennessee service-disabled veteran owned, and small businesses in accordance with § 12-3-804.

On motion, Amendment No. 4 was adopted.

Rep. C. Johnson moved that **House Bill No. 2356**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brown, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Womick, Madam Speaker Harwell -- 92

Representatives voting no were: Pody -- 1

A motion to reconsider was tabled.

House Joint Resolution No. 660 -- Memorials, Recognition - Bishop Vashti Murphy McKenzie. by *DeBerry L, *Gilmore.

Further consideration of House Joint Resolution No. 660 previously considered on February 16, 2012, February 23, 2012 and February 27, 2012, at which time it was reset for today's Calendar

Rep. L. DeBerry moved adoption of **House Joint Resolution No. 660**, with the request that the Shelby County delegation be added as co-prime sponsors, which motion prevailed by the following vote:

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Ayes 93
Noes..... 0
Present and not voting..... 1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brown, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

Representatives present and not voting were: Ragan -- 1

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGES

House Bill No. 629 -- Sunset Laws - As introduced, extends the Four Lake regional industrial developmental authority, June 30, 2016. - Amends TCA Title 4, Chapter 29 and Title 64, Chapter 5, Part 2. by *Cobb, *Rich, *Shipley. (*SB176 by *Bell, *Watson)

Senate Amendment No. 1

AMEND House Bill No. 629 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-232(a), is amended by deleting subdivision (22) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-235(a), is amended by adding the following language as a new subdivision thereto, as follows:

() Four Lake regional industrial developmental authority, created by § 64-5-201;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Cobb moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 629**, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

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Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brown, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

House Bill No. 2542 -- Sunset Laws - As introduced, extends the state capitol commission, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 8. by *Cobb, *Shipley, *Rich. (*SB2328 by *Bell)

Senate Amendment No. 2

AMEND House Bill No. 2542 by adding the following language immediately preceding the effective date section:

SECTION __. Tennessee Code Annotated, Section 4-8-301, is amended by deleting subdivision (a)(2) in its entirety and by substituting instead the following:

(2) The commission membership shall also include three (3) private citizens appointed by the governor to staggered terms of three (3) years.

(A) In appointing private citizens to serve on the state capitol commission, the governor shall strive to ensure that at least one (1) such citizen serving on the commission is sixty (60) years of age or older and that at least one (1) such citizen serving on the commission is a member of a racial minority.

(B) At least one (1) of the private citizens appointed by the governor shall be a black person.

(C)

(i) In appointing private citizens to serve on the state capitol commission, the governor shall appoint one person from each of the three (3) grand divisions of the state.

(ii) The private citizen members serving on the commission on the effective date of this act shall continue to serve until they either vacate their positions or their terms of office expire, whichever occurs first, whereupon the governor shall appoint persons to fill the positions in accordance with subdivision (C)(i).

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Rep. Cobb moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 2542**, which motion prevailed by the following vote:

Ayes 92
Noes 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brown, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. R. Williams voted "aye" on **House Bill No. 2542**.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Watson, **House Bill No. 2418** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Watson, **House Bill No. 2419** was recalled from the Judiciary Committee and withdrawn from the House.

BILLS RE-REFERRED

Rep. McCormick moved that **House Bill No. 2203** be re-referred from the Commerce Committee to the Transportation Committee, and that the same be heard in the Transportation Subcommittee next week, which motion prevailed.

Rep. McCormick moved that **House Bill No. 3793** be re-referred from the Consumer and Employee Affairs Committee to the Conservation and Environment Committee, and that the same be heard in the Conservation and Environment Subcommittee next week, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill No. 3007** to be heard in the Government Operations Committee next week, which motion prevailed.

BILLS WITHDRAWN

On motion of Rep. Hill, **House Bill No. 3741** was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

RULES SUSPENDED

Rep. McDonald moved that the rules be suspended in order to allow **House Bill No. 2789** to be heard in the Education Committee next week, which motion prevailed.

RULES SUSPENDED

Rep. Hardaway moved that the rules be suspended for the purpose of introducing House Resolution No. 207 out of order, which motion prevailed.

House Resolution No. 207 -- Memorials, Recognition - To recognize the Great Debate between Wiley College and the University of Mississippi at the African-American Museum of Memphis on March 1, 2012. by *Hardaway, *Parkinson, *Favors, *Brown, *Turner J, *DeBerry J, *Shaw, *Miller L, *Camper, *DeBerry L, *Towns, *Cooper B, *Gilmore, *Pruitt, *Coley, *Todd, *Lollar, *Kernell, *Naifeh, *White.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hardaway, the resolution was adopted.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. D. Miller, **House Bill No. 1833** was recalled from the Consumer and Employee Affairs Committee and withdrawn from the House.

On motion of Rep. D. Miller, **House Bill No. 1835** was withdrawn from the House.

On motion of Rep. D. Miller, **House Bill No. 1836** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. D. Miller, **House Bill No. 1837** was recalled from the Commerce Committee and withdrawn from the House.

On motion of Rep. D. Miller, **House Bill No. 2048** was recalled from the Education Committee and withdrawn from the House.

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On motion of Rep. D. Miller, **House Bill No. 2951** was recalled from the Health and Human Resources Committee and withdrawn from the House.

On motion of Rep. D. Miller, **House Bill No. 3072** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Hardaway, **House Bill No. 80** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Hardaway, **House Bill No. 81** was recalled from the Transportation Committee and withdrawn from the House.

On motion of Rep. Hardaway, **House Bill No. 83** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Hardaway, **House Bill No. 84** was recalled from the State and Local Government Committee and withdrawn from the House.

On motion of Rep. Hardaway, **House Bill No. 91** was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

On motion of Rep. Evans, **House Joint Resolution No. 714** was withdrawn from the House.

EXCUSED

The Speaker announced that the following member(s) was excused for Monday, February 27, 2012, pursuant to request(s) under **Rule No. 20**:

Representative Roach; personal

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 520 Rep(s). Womick, Sparks and Wirgau as prime sponsor(s).

House Joint Resolution No. 731 Rep(s). Shepard as prime sponsor(s).

House Bill No. 917 Rep(s). D. Miller as first prime sponsor(s).

House Bill No. 922 Rep(s). D. Miller as first prime sponsor(s).

House Bill No. 935 Rep(s). D. Miller as first prime sponsor(s).

House Bill No. 1927 Rep(s). R. Williams as first prime sponsor(s).

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House Bill No. 2218 Rep(s). Shepard, Armstrong and Parkinson as prime sponsor(s).

House Bill No. 2286 Rep(s). Ford , M. Turner, Hill, Dean, Alexander, Curtiss, Womick, Carr, Floyd, D. Miller, Pitts, Coley, Sparks, Ramsey, Forgety, Todd, Naifeh, L. DeBerry, McDaniel, Harwell, Casada, Sargent, Camper, Sanderson, Parkinson, Wirgau and McManus, as prime sponsor(s).

House Bill No. 2295 Rep(s). B. Cooper as prime sponsor(s).

House Bill No. 2629 Rep(s). Marsh as prime sponsor(s).

House Bill No. 2645 Rep(s). Lundberg and Ford as prime sponsor(s).

House Bill No. 2824 Rep(s). R. Williams as prime sponsor(s).

House Bill No. 2830 Rep(s). Dean, Sexton, Watson and Matheny as prime sponsor(s).

House Bill No. 3175 Rep(s). Shepard, Armstrong and Parkinson as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). P. Johnson was/were removed as sponsor(s) of **House Bill No. 917**.

On motion, Rep(s). P. Johnson was/were removed as sponsor(s) of **House Bill No. 935**.

On motion Rep(s). Cobb was/were removed as sponsor(s) of **House Bill No. 1927**.

ENGROSSED BILLS

March 1, 2012

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2356, 2381, 2612, 2794, 2853, 3266, 3323 and 3781; also House Joint Resolution(s) No(s). 660;

BETTY KAY FRANCIS, Chief Engrossing Clerk

ENROLLED BILLS

March 1, 2012

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 207; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk

SIGNED
March 1, 2012

The Speaker announced that she had signed the following: House Resolution(s) No(s).
207.

BETTY KAY FRANCIS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE
March 1, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2169, 2707, 2785, 2813, 2814, 2838, 3006, 3116, 3236, 3240 and 3352; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 2169** -- Special License Plates - As introduced, expands authorization of new specialty earmarked license plates for Sons of Confederate Veterans to include issuance of such plates for motorcycles. - Amends TCA Title 55, Chapter 4. by *Tracy, *Beavers, *Henry. (HB2616 by *McDaniel)

***Senate Bill No. 2707** -- Special License Plates - As introduced, extends time period for meeting initial issuance requirements for "I Recycle" new specialty earmarked license plates until July 1, 2013. - Amends TCA Title 55, Chapter 4. by *Massey, *Herron, *Kyle, *Overbey. (HB3464 by *Armstrong)

***Senate Bill No. 2785** -- Special License Plates - As introduced, authorizes issuance of Dogwood Arts new specialty earmarked license plates. - Amends TCA Title 55, Chapter 4. by *Massey. (HB3465 by *Armstrong, *Tindell, *Brooks H, *Dunn, *Hall, *Haynes)

***Senate Bill No. 2813** -- Special License Plates - As introduced, extends the time to meet the minimum order requirements for the Labrador Retriever Foundation new specialty earmarked plate by an additional year. - Amends TCA Section 55-4-353. by *Tracy, *Henry, *Faulk, *Herron, *Kyle. (HB3131 by *Johnson P)

***Senate Bill No. 2814** -- Special License Plates - As introduced, authorizes Tennessee Breast Cancer Coalition new specialty earmarked license plate; allocates 50 percent of funds produced from sale thereof to the Tennessee Breast Cancer Coalition to support organization's mission. - Amends TCA Title 55, Chapter 4. by *Tracy, *Beavers, *Faulk, *Ford, *Kyle, *Roberts. (HB3134 by *Johnson P)

Senate Bill No. 2838 -- Special License Plates - As introduced, authorizes issuance of Boy Scouts of America new specialty earmarked license plates; allocates 50 percent of funds derived from sale thereof to five Tennessee Councils of Boy Scouts to fund and support scouting programs and activities. - Amends TCA Title 55, Chapter 4. by *Tracy, *Ketron, *Faulk, *Ford, *Herron, *Kyle, *Overbey, *Roberts. (*HB3019 by *Lollar)

***Senate Bill No. 3006** -- Special License Plates - As introduced, authorizes issuance of an American Lung Association new specialty earmarked license plate. - Amends TCA Title 55, Chapter 4. by *Watson, *Faulk, *Ford, *Kyle. (HB3305 by *Floyd)

**THURSDAY, MARCH 1, 2012 – FIFTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL
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Senate Bill No. 3116 -- Education - As introduced, requires local boards of education to adopt policies concerning a teacher's ability to relocate a student for the safety of the student and the safety of others. - Amends TCA Title 49. by *Gresham, *Summerville, *Burks, *Tracy, *Campfield, *Tate, *Crowe, *Bell, *Roberts, *Southerland, *Ramsey, *Watson, *Ketron, *Massey, *Beavers, *Faulk, *Norris, *Yager. (*HB3241 by *Brooks H, *Brooks K, *Powers, *Hensley, *Dunn, *Naifeh, *DeBerry L, *Lollar, *McDaniel, *Ford, *Forgety, *Montgomery, *Ragan, *DeBerry J, *Casada, *Sanderson, *Bass, *Holt, *Faison, *Williams R, *Maggart, *Weaver, *Dean, *Butt, *Johnson P, *Wirgau)

***Senate Bill No. 3236** -- Safety - As introduced, expands the definition of ready-removable in the Tennessee modular building act to permit ready-removables to include electrical wiring, - Amends TCA Title 68, Chapter 126, Part 3. by *Yager. (HB3448 by *Windle)

Senate Bill No. 3240 -- Railroads - As introduced, requires motor vehicles to stop at a railroad grade crossing where a train or other on-track equipment is approaching. - Amends TCA Title 55, Chapter 50, Part 4; Title 55, Chapter 8, Part 1 and Title 65. by *Barnes. (*HB3057 by *Ford)

Senate Bill No. 3352 -- Insurance Companies, Agents, Brokers, Policies - As introduced, prohibits title insurance companies and title insurance rating organizations from filing as part of their schedule of rates for title insurance, that part of the charge for title insurance applicable to search and examination in connection with insurance of title to real property located in counties with a population of less than 175,000 instead of those with less than 275,000. - Amends TCA Section 56-35-129. by *Ketron, *Johnson, *Tracy. (*HB3278 by *Sargent, *Casada, *Marsh, *Carr)

**MESSAGE FROM THE SENATE
March 1, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 711; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
March 1, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 629, 2414, 2542 and 2833; also House Joint Resolution(s) No(s). 711; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
March 1, 2012**

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 711.

BETTY KAY FRANCIS, Chief Engrossing Clerk

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**MESSAGE FROM THE SENATE
March 1, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 711; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
March 1, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 711; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS
March 1, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 715;

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS
March 1, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2174;

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENROLLED BILLS
March 1, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 199; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
March 1, 2012**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 199.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 1, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2414; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 1, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2326; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 1, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2833; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 1, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 222; Senate Joint Resolution 222 was read three times on three separate occasions and was adopted for the House's action by the Senate of the One Hundred and Seventh General Assembly of the State of Tennessee pursuant to Article XI Section 3 of the Constitution of the State of Tennessee.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE GOVERNOR
March 1, 2012**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 711 with his approval.

HERBERT H. SLATERY, III, Counsel to the Governor

ROLL CALL

The roll call was taken with the following results:

Present..... 89

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Representatives present were Alexander, Armstrong, Bass, Brooks H, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Watson, White, Williams K, Williams R, Windle, Womick, Madam Speaker Harwell --
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RECESS MOTION

On motion of Rep. McCormick, the House stood in recess until 5:00 p.m., Monday, March 5, 2012.